

Area Designations for 2015 Ozone NAAQS

draft MARCH 30, 2017

SUMMARY

By **October 1, 2017**, the Administrator is required by Clean Air Act (CAA) section 107(d) to establish, and publish a notice in the *Federal Register* promulgating air quality designations for all areas of the United States under the 2015 ozone NAAQS. The designations of "attainment," "nonattainment," or "unclassifiable" are based upon air quality monitoring data and other relevant information pertaining to the air quality in the affected area, including whether an area contains emissions sources that contribute to a violation of the standard in a nearby area. This deadline may be extended for up to one year in the event the Administrator determines he has insufficient information to promulgate the designations. [REDACTED]

[REDACTED] the Administrator intends to proceed with designations this year, we need to begin the decision briefing process. If the Administrator intends to modify any of the designation recommendations previously provided by States or Tribes, he must notify those States or Tribes no less than 120 days prior to promulgating final designations and provide them an opportunity to demonstrate why a proposed modification is inappropriate. These "120-day letters" must be issued no later than **June 2, 2017**, to meet the October 1, 2017, deadline for final designations.

CURRENT STATUS AND ISSUES

- **4-Step Designations Process in CAA Section 107(d)**
 - **Step 1 – State Recommendations:** After a national ambient air quality standard (NAAQS) is revised, State governors and Tribal leaders send designation recommendations to the EPA for all of the areas in their jurisdiction.
 - **Step 2 – EPA Notifies States of Preliminary Decisions:** The Administrator reviews and makes reasoned decisions regarding the suitability of State recommendations. The Administrator must notify States of any intended modifications to State recommendations no less than 120-days prior to finalizing designations. We refer to these communications to the States as “120-day letters.”
 - **Step 3 – Optional State Responses:** States may provide additional information to EPA to explain why an intended EPA modification is not appropriate. Though not mandated by the CAA, the EPA has also historically sponsored a public comment period during the 120-day period.
 - **Step 4 – EPA Final Decisions:** EPA reviews any new information provided by States and public commenters and announces final designation decisions in a *Federal Register* notice.
- **Ozone Formation:** Ozone forms from emissions of nitrogen oxides (NO_x) and volatile organic compounds (VOC), and carbon monoxide (CO) in the presence of sunlight and elevated temperatures. Typical sources of NO_x include burning of fossil fuels in vehicles, power plants, and industrial boilers. Typical sources of VOC include vehicles, oil and gas development and transmission, solvent use, paints and other coatings.
- **Ozone is an Urban-scale Pollutant:** Ozone is referred to as an urban-scale or regional-scale pollutant because elevated levels are experienced over the scale of 10s of miles. The sources of NO_x and VOC emissions that contribute to ozone formation are ubiquitous and are spread throughout wide areas of land.
- **Factors Used in Determining Appropriate Nonattainment Area Boundaries:** Section 107(d)(4) of the 1990 CAA amendments prescribed the entire consolidated metropolitan statistical area as the boundary for any ozone nonattainment area classified Serious, Severe, or Extreme, and indicates that factors such as population density, traffic congestion, commercial and industrial development, meteorological conditions and pollution transport may be considered in determining appropriate nonattainment boundaries. Today, the EPA’s analysis of nearby contribution uses this directive as a touchstone for examining appropriate nonattainment area boundaries. EPA’s ozone designations guidance recommends using a weight-of-evidence approach to developing boundaries, considering factors such as the location of emissions sources and emissions-generating activities, meteorology, topography, air quality data, and existing jurisdictional boundaries.
- **Background Ozone:** Background ozone refers to ozone formed from natural sources of NO_x and VOC emission, and ozone formed from non-U.S. sources of NO_x and VOC emissions (e.g., emissions from Mexico and Canada). Also, in some high elevation locations, short-duration springtime meteorological events result in stratospheric ozone being mixed down into the troposphere. Some sources of background ozone may be considered Exceptional Events and the monitoring data associated with the event may be eligible for exclusion in designations decisions.